

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 21-cr-0005-bhl

JOHN D. WHELAN (1),

TINA MONTEZON (2),

Defendants.

AMENDED CRIMINAL PRETRIAL ORDER

Trial in this case is scheduled to begin on **October 16, 2023**, at the U.S. Federal Courthouse, Courtroom 320, 517 E. Wisconsin Ave., Milwaukee, Wisconsin. The Court will conduct a final pretrial conference at **10:00 a.m. on October 5, 2023**, in Courtroom 320. Counsel who will try the case are directed to meet and confer and prepare a single final pretrial report, which must be filed no later than **September 28, 2023**. The Court expects all counsel to make a good faith effort at preparing the pretrial report, but the principal burden for filing the report rests with counsel for the government. The final pretrial report shall include the following:

1. A brief summary of the charges against the defendants, which the Court will read to the venire during jury selection to inform them of the nature of the case and the identities of the parties.
 2. The anticipated length of the trial.
 3. Any stipulations the parties have reached.
 4. The name, occupation, and city of residence of each potential witness, along with a time estimate of the expected duration of the witness's direct and cross examination.
 5. A short narrative statement detailing the background and qualifications of any expert witnesses.
 6. A complete list of exhibits the parties expect to offer or reference during the trial.
- The parties shall pre-mark all exhibits. The parties shall disclose and exchange copies of the

exhibits they plan to use at trial. If both parties plan to use the same exhibit, the parties shall mark that exhibit with only one exhibit number.

7. Proposed nonstandard voir dire questions.

8. A list of proposed Seventh Circuit pattern jury instruction numbers (not the text of the instructions themselves), and the text of any proposed non-pattern instructions.

9. A proposed verdict form.

10. A statement as to how many alternate jurors the parties wish to select.

If, after making a good-faith effort, the parties cannot agree on particular voir dire questions, jury instructions, or forms of verdict, the party opposing the contested questions, instructions or verdict forms shall file his or her proposals separately, and shall include any case law, argument or other legal support for those proposals. The parties shall file their exhibit lists, voir dire questions, jury instructions, and verdict forms as PDF attachments to the final pretrial report. In addition, the parties shall email a Word version of each document to Judge Ludwig's proposed email box: LudwigPO@wied.uscourts.gov.

Any party wishing to file motions in limine shall do so by **September 21, 2023**; responses shall be due **September 28, 2023**.

SO ORDERED on June 30, 2023.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge